

CITY OF SANTA CRUZ
809 Center Street
Santa Cruz, California 95060



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting
February 09, 2010

1:00 P.M. CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM

3:00 P.M. CONSENT, GENERAL BUSINESS, MATTERS OF PUBLIC INTEREST AND PUBLIC HEARINGS, COUNCIL CHAMBERS

Note: There will be no 7:00 p.m. session.



Written correspondence and telephone calls received after 5:00 p.m. on Monday preceding a Council meeting may not have time to reach Councilmembers, nor be read by them prior to consideration of an item. Please make any communication to Councilmembers regarding Council meeting items prior to 5:00 p.m. Monday.

Council meetings are cablecast on Comcast Channel 25.

Written material for every item listed in the open sessions is available for review at the Central Branch Library Reference Desk.

Time limits set by Council Policy are guidelines. Unless otherwise specified, procedures for all items, except those approved in one motion on the Consent Agenda, are:

- Oral staff report
- Public comment - 2 minutes each; maximum total time may be established by the Presiding Officer at the beginning of the item
- Council/Agency deliberation and action

Closed Litigation Session**1:00 PM**

At 1:00 p.m., the Presiding Officer will open the City Council and Redevelopment Agency Closed Litigation sessions in a public meeting in the Courtyard Conference Room, for the purpose of announcing the agenda; thereafter the meeting will be closed to the public.

A. Public Employee Hiring Decision (Government Code §54957).

City Council's hiring of City Manager.

B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- Employee Organizations—
1. Police Management
 2. Police Officers' Association
 3. SEIU – All Units
 4. Operating Engineers-Supervisors
 5. Operating Engineers-Managers

C. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9).

Initiation of Litigation by City (Government Code §54956.9(c)).

2 cases to be discussed.

Significant Exposure of City to Litigation (Government Code §54956.9(b)).

1 case to be discussed

D. Conference with Legal Counsel –Liability Claims (Government Code §54956.95).

1. Claimant: Wallace Woodworth Berry
2. Claimant: Paulino Mendosa Sanchez
3. Claimant: State Farm Ins. (Weymouth)

Claims Against: City of Santa Cruz

An oral report will be presented in the 3:00 p.m. Session (item 25).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Spotlight on City Services - American Recovery and Reinvestment Act - Economic Development Department
- * Presentation - Amgen
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

Consent Agenda

1. Minutes of the January 12, 2010 and January 26, 2010 Regular and January 19, 2010 Special City Council Meetings. (CC)
2. Minutes of the January 12, 2010 and January 26, 2010 Regular Redevelopment Agency Meetings. (CC)
3. 49-A Municipal Wharf - Municipal Wharf Lease Agreement with Barking Lion Corporation. (ED)

Motion to authorize and direct the City Manager to execute a Municipal Wharf Lease Agreement and any amendments thereto of a non-substantive nature, in a form acceptable to the City Attorney, with Barking Lion Corporation for the operation of a restaurant at 49-A Municipal Wharf.

Consent Agenda (continued)4. Living Wage Rate Annual Prescription for 2010. (FN)

Resolution upwardly indexing the prescribed minimum living wage rate by 0.2%, the amount which corresponds to San Francisco-Oakland-San Jose Area Consumer Price Index (CPI), for the period ending October 31, 2009 to become effective July 1, 2010.

5. Liability Claims Filed Against City of Santa Cruz. (HR)

Motion to reject liability claims: a) Wallace Woodworth Berry; and b) Paulino Mendosa Sanchez, based upon staff investigation.

6. City's Classification and Compensation Plans and the FY 2010 Budget Personnel Complement - Water Department. (HR)

Resolution amending the Classification and Compensation Plans and the FY 2010 Budget Personnel Complement by adding one full time Utility Service Representative (USR) position to the Water Department.

7. City Storm Water Management Plan – Plan Changes Regarding Developing Hydromodification Control Criteria. (PW)

Motion directing staff to join the Regional Joint Effort for Developing Hydromodification Control Criteria and making the required related revisions to the City's Storm Water Management Plan in compliance with the City's State Storm Water Permit.

8. Award Biosolids End-Use Services Contract for Wastewater Treatment Facility. (PW)

Motion to accept the bid of Terra Renewal Services, Garden Grove, CA, in the amount of \$31.65/ton for Biosolids End-Use Services for the Wastewater Treatment Facility and authorize the City Manager to execute the agreement.

9. Highway 1 Bike/Pedestrian Underpass Project (c400826) – Budget Adjustment. (PW)

Resolution transferring funds and amending the FY 2010 budget in the amount of: \$200,000 from the Traffic Impact Fee Fund for alternative transportation to fund the Highway 1 Bike/Pedestrian Underpass Project (c400826).

Consent Agenda (continued)10. Miscellaneous Water Service Fees. (WT)

Resolution amending miscellaneous water service fees, and rescinding Resolution No. NS-28,144.

11. Water Supply Project – CEQA/NEPA Services – Award of Contract. (WT)

Motion to authorize the City Manager to execute an agreement with URS Corporation Americas (Oakland, CA) in the amount of \$1,421,948 for the preparation of the Environment Impact Report (EIR) for the proposed Seawater Desalination Facility.

12. Administrative Appeal Fee Schedule. (CN)

Resolution establishing an administrative appeal fee schedule for administrative appeals taken pursuant to Title 4 of the Santa Cruz Municipal Code.

End Consent Agenda**Public Hearing**13. Alcohol Ordinance Amendment (Environmental Determination: Categorical Exemption) (City of Santa Cruz, Applicant). (PL)

Final Adoption of Ordinance No. 2010-02.

General Business

Note: Council may discuss and/or take action on the composition and integration of various advisory bodies listed as items 14 through 23.

14. Arts Commission Appointment or Reappointment (One Possible Reappointment, with a Term Expiration of 1/1/14). (CC)

Motion to appoint or reappoint an Arts Commissioner.

15. Downtown Commission Appointments (Three Vacancies, One with a Term Expiration of 1/1/14, and Two with Term Expirations of 1/1/12). (CC)

Motion to appoint three Downtown Commissioners.

General Business (continued)

16. Historic Preservation Commission (Two Vacancies, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint two Historic Preservation Commissioners.

17. Parks and Recreation Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint or reappoint two Parks and Recreation Commissioners.

18. Planning Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint or reappoint two Planning Commissioners.

19. Public Works Commission (One Vacancy, with a Term Expiration of 1/1/11) (CC)

Motion to appoint a Public Works Commissioner.

20. San Lorenzo River Committee (Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/11). (CC)

Motion to appoint three San Lorenzo River Committee members.

21. Santa Cruz City Transportation Commission (Two Vacancies, with Term Expirations of 1/1/14). (CC)

Motion to appoint two Santa Cruz City Transportation Commissioners.

22. Sister Cities Committee (One Possible Reappointment, with a Term Expiration of 1/1/14, and Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/12). (CC)

Motion to appoint or reappoint four Sister Cities Committee members.

General Business (continued)

23. Water Commission (Two Openings, Both with Term Expirations of 1/1/14). (CC)

Motion to appoint two Water Commissioners.

24. Council Meeting Calendar.

That the City Council review the meeting calendar attached to the agenda and revise as necessary.

25. City Attorney Oral report on Closed Session. (See Page 2)

26. Council Memberships in City Groups and Outside Agencies.

The Presiding Officer will provide Councilmembers with the opportunity to update Council and the public regarding City Groups and Outside Agencies.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of February 9, 2010 to the next regularly scheduled meeting on February 23, 2010, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

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Note: The Council Chambers will be closed ten minutes after the meeting is adjourned.

Advisory Body Appointments

The following at-large positions are will be open for reappointment and or appointment in January 2010. Council will make appointments at the meeting of February 9, 2010.

Arts Commission	One (1) reappointment
Downtown Commission	Three (3) vacancies
Historic Preservation Commission	Two (2) vacancies
Parks and Recreation Commission	Two (2) reappointments
Planning Commission	Two (2) reappointments
Public Works Commission	One (1) vacancy
San Lorenzo River Committee	Two (2) vacancies
S.C. City Transportation Commission	Two (2) vacancies
Sister Cities Committee	One (1) reappointment and three (3) vacancies
Water Commission	Two (2) vacancies

Public Hearing: If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action either 60 days or 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6 Please refer to code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes "final." The 60-day rule applies to all public hearings conducted pursuant to the City's Zoning Ordinance, Title 24, Santa Cruz Municipal Code. The 90-day rule applies to all other public hearings.

City Council Agenda Legislative History Addendum

No information was submitted.

City staff is responsible for providing the City Clerk with such documentation and information for the Legislative History Addendum. The information will be on file in the City Clerk's Department.

The Addendum is a listing of information specific to City Council business, but which does not appear on a Council meeting agenda. Such entities would include, but not be limited to:

Court decisions

Coastal Commission Appeals of City Council actions

Closed Session Agreements/Settlements, which are public record

Association of Monterey Bay Area Governments

Local Agency Formation Commission

ADDENDUM TO CITY COUNCIL AGENDA – FEBRUARY 9, 2010

INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS

(Copies available in the Central Branch Library at the Reference Desk)

Economic Development Department	Downtown Public Art Walking Tour Brochure - 1/14/10 (EDFYI 001)
Public Works Department	Implementation of Council Approved Pay for Parking at the Cedar/Church Garage and Cedar/Cathcart Parking Lot -1/12/10 (PWFYI 0055)
Water Department	Status Report on Water Conditions and Initial Water Supply Outlook for 2010 - 1/26/10 (WTFYI 035)

ADDENDUM TO CITY COUNCIL AGENDA – FEBRUARY 9, 2010
MAYOR’S PROCLAMATIONS

1. Proclaiming Friday, February 5, 2010 as “Patricia Sapone Day” and encouraging all her coworkers and citizens to join in expressing heartfelt appreciation for her thirty years of dedicated and exemplary service and numerous contributions to the Santa Cruz Police Department and the City of Santa Cruz and wishing her well in her retirement.
2. Proclaiming the month of February 2010 as “3 Cups of Tea Santa Cruz Month” and encouraging all citizens to promote peace through education; to support the work of the Central Asia Institute by organizing *Pennies for Peace* programs in our schools, libraries, and places of worship; and to raise awareness and understanding of the people of Afghanistan and Pakistan.
3. Proclaiming January 28, 2010 as “Branciforte Small Schools Library Day” in celebration of the rededication of the Bricmont Children’s Library.
4. Proclaiming January 31, 2010 as “Arbor Day” in honor of Tu B’Shevat and encouraging all citizens to join in recognizing the important work and contributions of the Gan Tefillah School student volunteers and the City of Santa Cruz and to plant trees to offset climate change, enhancing our natural world for our present and future generations.